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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,256	07/11/2003	Mary B. Clark	1033-SS00387	3946
60533	7590	12/28/2007		
TOLER LAW GROUP 8500 BLUFFSTONE COVE SUITE A201 AUSTIN, TX 78759			EXAMINER JEAN GILLES, JUDE	
			ART UNIT 2143	PAPER NUMBER
			MAIL DATE 12/28/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/618,256

Applicant(s)

CLARK ET AL.

Examiner

Jude J. Jean-Gilles

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This Action is in regards to the Reply received on 10/01/2007.

#### ***Response to Amendment***

1. This action is responsive to the application filed on 07/11/2003. There are no amended claims. There are no newly added claims. Claims 1-30 are pending. Claims 1-30 represent a method and apparatus for "MULTI-USER DATABASE SYSTEM AND METHOD FOR RESOURCE USAGE TRACKING". Applicant's arguments with respect to claims 1, 10 and 19 have been carefully considered, but are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the existing ground of rejection as explained here below. The dependent claims stand rejected as articulated in the Previous Office Action.

However, because there exists the likelihood of future presentation of this argument, the Examiner thinks that it is prudent to address Applicants' main points of contention:

A) Applicant contends that the Office action admits that Jones et al. does not disclose an event table to store an event log of the session maintenance transactions, and a session table derives from the event and the accounting table, the session table to store resource usage data associated with at least one user session. Tully does not correct the deficiencies of the primary reference of Jones and that Tully does not disclose an event table to store an event log of the session maintenance transactions, as set forth in claim 1. Furthermore, Tully does not disclose or teach a session table to

store resource data associated with at least one user session as set forth in claim 1. In addition Tully does not teach a session table derived from the event table and the accounting table as set forth in claim 1.

B) Applicants contend that claims 2-9 depend on claim 1 and allowable for the same reason cited in point A.

C) Applicants argue that independent claim 10-18, and 19-30 are allowable mainly by virtue of the allowability of independent claims 10 and 19. particularly, Applicant contend that the systems of Jones and Tully do not disclose a multi user database system comprising an event table to store an event log of the session maintenance transactions, and a request table derived from the event table and the accounting table, the request table to store resource usage data associated with the transactions

As to point A, it is the position of the Examiner that Jones does not teach in detail all the limitations of claim 1. particularly, Jones appears not to disclose "an event table to store an event log of the session maintenance transactions, and a session table derives from the event and the accounting table". Tully specifically teaches this limitation of the claim. Tully discloses a table (table of figure 6) that is an event table storing event entries associated with game session entries and logs of event results or transactions (see Tully, Par. 0126). The table also maintains and stores transaction information such as average time per event, session status etc. (see also par. 0140). In par. 0132, Tully teaches the accounting table represented by database 700. This table stores accounting data regarding players and the gaming system.

As to point B, claims 2-9 are not allowable by virtue of their dependence on claim 1 as stated in the answer to point A above. Furthermore, the portions of the cited prior art cited for the rejections of these claims are maintained (see rejection of claims 2-9 below).

As to point C, the same arguments that sustain the rejection of claims 1 are also valid.

Examiner notes that applicant has failed in presenting claims and drawings that delineate the contours of this invention as compared to the cited prior art. Applicant has failed to clearly point out patentable novelty in view of the state of the art disclosed by the references cited that would overcome the 103(a) rejections applied against the claims, the rejection is therefore sustained.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al (hereinafter Jones) U.S. Patent No. 6,804,330 in view of Tully et al (Tully) U.S. Pub. No. 2006/0252490 A1.

**Regarding claim 1:** Jones discloses the invention substantially as claimed. Jones teaches a multi-user database system comprising:  
at least one processor (fig. 33, item 604);

at least one network interface coupled to the at least one processor, the at least one network interface configured to receive transactions from a plurality of users (column 35, lines 15-34; column 39, lines 55-63; note that the inputs are the transactions received from the users), transactions including session maintenance transactions and data requests (column 35, lines 34-55); an accounting table to store data associated with the data requests (fig. 14, item 218; column 20, lines 50-52); however Jones does not disclose the details of "an event table to store an event log of the session maintenance transactions and a session table derived from the event table and the accounting table, the session table to store resource usage data associated with at least one user session".

In the same field of endeavor, Tully discloses " ... *According to another embodiment, all or some of the information in the game session database 600 may instead be stored at the controller 400. The table includes entries identifying game sessions (e.g., a game session associated with a set of event results) that have been played, or are being played, by a player. The table also defines fields 602, 604, 606, 608, 610, 612, 614, 616, 618 for each of the entries. The fields specify: a game session identifier 602; a game identifier 604; a total time period 606; an average time per event 608; a time remaining 610; a total wager amount 612; a wager balance amount 614; a cumulative payout amount 616; and a session status 618. The information in the game session database 600 may be created and updated, for example, based on information received from a player device and/or the controller 400 ...*" [see Tully; par. 0126].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Tully's teachings of using both an event table and a session table to store the resource data associated with a user session with the teachings of Jones, for the purpose of improving the ability of a database to store resource usage data in connection with user session and event to increase system's reliability and efficiency. By this rationale, **claim 1** is rejected.

Regarding claim 2: the combination Jones- Tully discloses the multi-user database system of claim 1, wherein the resource usage data includes CPU usage (see Jones; column 39, lines 52-67; column 40; lines 1-41).

Regarding claim 3: the combination Jones- Tully discloses the multi-user database system of claim 1, wherein the resource usage data includes input/output usage (see Jones; column 39, lines 52-67; column 40; lines 1-41).

Regarding claim 4: the combination Jones- Tully discloses the multi-user database system of claim 1, wherein the at least one processor comprises more than one processor in a parallel processing environment (see Jones; column 30, lines 20-39).

Regarding claim 5: the combination Jones- Tully discloses the multi-user database system of claim 4, wherein the parallel processing environment is associated with an enterprise data warehouse (see Jones; column 30, lines 20-39).

Regarding claim 6: the combination Jones- Tully discloses the multi-user database system of claim 1, further comprising: a request table derived from the event table and

the accounting table, the request table to store resource usage data associated with the data requests [see Tully; par. 0126; 0132].

Regarding claim 7: the combination Jones- Tully discloses the multi-user database system of claim 6, wherein the request table is accessible to identify data requests that utilize a selected level of computing resources [see Tully; par. 0126; 0132].

Regarding claim 8: the combination Jones- Tully discloses the multi-user database system of claim 1, wherein the session table is accessible to identify sessions that utilize a selected level of computing resources [see Tully; par. 0126; 0132].

Regarding claim 9: the combination Jones- Tully discloses the multi-user database system of claim, wherein the session table is accessible to identify usage trends for resource utilization forecasting [see Tully; par. 0126; 0132].

Regarding claim 10: the combination Jones- Tully discloses a multi-user database system comprising:

a processor (see Jones; fig. 33, item 604);

a network interface coupled to the processor, the network interface configured to receive transactions from a plurality of users (see Jones; column 35, lines 15-34; column 39, lines 55-63), the transactions including session maintenance transactions and data requests (see Jones; column 35, lines 34-55);

an event table to store an event log of the session maintenance transactions [see Tully; par. 0126; 0132];

an accounting table to store data associated with the data requests(see Jones; fig. 14, item 218; column 20, lines 50-52); and



a request table derived from the event table and the accounting table, the request table to store resource usage data associated with the transactions [see Tully; par. 0126; 0132].

Regarding claim 11: the combination Jones- Tully discloses the multi-user database system of claim 10, wherein the resource usage data includes CPU usage (see Jones; column 39, lines 52-67; column 40; lines 1-41).

Regarding claim 12: the combination Jones- Tully discloses the multi-user database system of claim 10, wherein the resource usage data includes input/output usage (see Jones; column 39, lines 52-67; column 40; lines 1-41).

Regarding claim 13: the combination Jones- Tully discloses the multi-user database system of claim 10, wherein the request table is accessible to identify data requests that utilize a selected level of computing resources(see Jones; column 30, lines 20-39).

Regarding claim 14: the combination Jones- Tully discloses the multi-user database system of claim 10, further comprising more than one processor in a parallel processing environment(see Jones; column 30, lines 20-39).

Regarding claim 15: the combination Jones- Tully discloses the multi-user database system of claim 14, wherein the parallel processing environment is associated with an enterprise data warehouse(see Jones; column 30, lines 20-39).

Regarding claim 16: the combination Jones- Tully discloses the multi-user database system of claim 10, further comprising: a session table derived from the event table and the accounting table, the session table to store resource usage data associated with at least one user session [see Tully; par. 0126; 0132; fig. 7].

Regarding claim 17: the combination Jones- Tully discloses the multi-user database system of claim 16, wherein the session table is accessible to identify high resource utilization sessions [see Tully; par. 0126; 0132; fig. 7].

Regarding claim 18: the combination Jones- Tully discloses the multi-user database system of claim 16, wherein the session table is accessible to identify usage trends for resource utilization forecasting [see Tully; par. 0126; 0132; fig. 7].

Regarding claim 19: the combination Jones- Tully discloses a method of tracking database system usage, the method comprising:

determining a set of new sessions from an event log data table to form a temporary session data table [see Tully; par. 0126; 0132; fig. 7];

matching entries in the temporary sessions data table with a set of request transactions to form a matched data table[see Tully; par. 0126; 0132; fig. 7];

preparing a sessions level summary from the matched data table [see Tully; par. 0126; 0132; fig. 7; fig. 6];

updating a session table, the session table to store resource usage data associated with the set of new sessions; and querying the sessions table to track database system usage [see Jones; column 35, lines 34-55; see Tully; par. 0126; 0132; fig. 7]..

Regarding claim 20: the combination Jones- Tully discloses the method of claim 19, wherein the resource usage data includes CPU usage (see Jones; column 39, lines 52-67; column 40; lines 1-41).

Regarding claim 21: the combination Jones- Tully discloses the method of claim

19, wherein the resource usage data includes input/output usage (see Jones; column 39, lines 52-67; column 40; lines 1-41).

Regarding claim 22: the combination Jones- Tully discloses the method of claim 19, further comprising: determining a set of open sessions; and associating the set of open sessions with logoff events stored in the event log data table (see Jones; column 20, lines 18-43).

Regarding claim 23: the combination Jones- Tully discloses the method of claim 19, further comprising: determining a set of open sessions; associating running sessions with open sessions in the set of open sessions; and closing open sessions not associated with running sessions (see Jones; column 30, lines 20-39).

Regarding claim 24: the combination Jones- Tully discloses the method of claim 19, further comprising: preparing a request level summary from the matched data table; updating a request table, the request table to store resource usage data associated with the set of request transactions; and querying the request table to track resource usage [see Tully; par. 0126; 0132; fig. 7].

Regarding claim 25: the combination Jones- Tully discloses the method of claim 24, wherein querying the request table includes providing data associated with resource inefficient transaction requests [see Tully; par. 0126; 0132; fig. 7].

Regarding claim 26: the combination Jones- Tully discloses the method of claim 25, further comprising: modifying the resource inefficient transaction requests whereby database performance is enhanced (see Jones; column 30, lines 20-39).

Regarding claim 27: the combination Jones- Tully discloses the method of claim 19,

wherein querying the sessions table yields data associated with usage trends (see Jones; column 30, lines 20-39).

Regarding claim 28: the combination Jones- Tully discloses the method of claim 27, further comprising: allocating database resources based on the data associated with usage trends (see Jones; column 30, lines 20-39).

Regarding claim 29: the combination Jones- Tully discloses the method of claim 19, wherein matching entries in the temporary session data table is performed using a user identifier and a session identifier [see Tully; par. 0126; 0132; fig. 7; 0130].

Regarding claim 30: the combination Jones- Tully discloses the method of claim 19, wherein matching entries in the temporary session data table is performed using a user identifier and an account string [see Tully; par. 0126; 0132; fig. 7; 0130].

### ***Conclusion***

4. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914.

The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

~~NATHAN FLYNN  
SUPERVISORY PATENT EXAMINER~~

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3201.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-0800.

Jude Jean-Gilles

Patent Examiner

Art Unit 2143

JJG

December 23, 2007